

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:24-CV-00028-KDB-SCR**

**FEDERAL TRADE
COMMISSION,**

Plaintiff,

v.

**NOVANT HEALTH, INC. AND
COMMUNITY HEALTH
SYSTEMS, INC.,**

Defendants.

ORDER

THIS MATTER is before the Court sua sponte to consider the appropriateness of the continued sealing of various documents and exhibits filed with the Court. During the course of this case, the Court has liberally permitted briefs, associated exhibits and other documents to be provisionally filed under seal based on the requests of the Defendants and third parties that certain information be considered *in camera*. The Court has now held a lengthy public hearing, issued a detailed final Order on Plaintiff's requested relief, *see* Doc. No. 227, and resolved the motions seeking confidential review. Therefore, the Court can now determine the scope of the filings that may remain sealed.

As the Court has repeatedly stated, this matter – in which the Court's task is to ultimately decide where the public interest lies with respect to the Plaintiff's request for a Preliminary Injunction – must be tried openly with full regard for the public's right of access to judicial documents on which the Court relies as well as the evidence and contentions presented by the

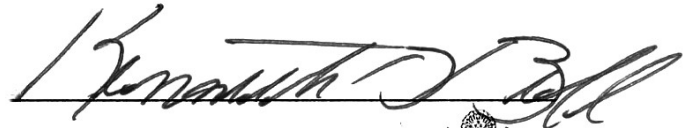
Parties in support of their respective positions. *See* Doc. No. 193. Towards that end, the Court orders that the following exhibits and filings be unsealed:

- All exhibits cited or relied on by the Court in its final Order ruling on Plaintiff's Complaint for a Preliminary Injunction, Doc. No. 227. (PX 1, 2, 3, 5, 6, 1004, 1006, 1010, 1022, 1042, 1151, 1152, 1166, 1172, 1222, 1278, 1280, 1295, 2060, 2082, 2104, 2123, 2195, 2217, 2218, 2227, 2363, 3017, 3028, 3029, 3127, 3142, 3176, 4004, 4025, 5026, 5042, 5043, 5069, 5133, 7001, 7013, 7015, 7044, 7055 and 7060 and DX 1, 5, 6, 8, 9, 10, 11, 12, 15, 37, 100, 111, 313, 449, 460, 485, 488, 677 and 689);
- Plaintiff's Proposed Findings of Fact and Conclusions of Law, Doc. No. 212 (with all cited exhibits remaining sealed unless otherwise already admitted into evidence or unsealed above); and
- Defendants' Proposed Findings of Fact and Conclusions of Law, Doc. No. 214 (However, the redactions in paragraph 82 on p. 29 and paragraph 86 on p. 31 (which relate to specific insurance rates and negotiations) should remain sealed. Also, all cited exhibits should remain sealed unless otherwise already admitted into evidence or unsealed above). Defendants are directed to file a version of their brief with these limited redactions within 5 days of the date of this Order.

Except as ordered, the docket entries that have been sealed will remain sealed subject to further review upon any future application of a member of the public to view specific material.

SO ORDERED ADJUDGED AND DECREED.

Signed: June 6, 2024

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

